

RECORDING REQUESTED BY
AND MAIL TO:

City of Reedley
1717 Ninth Street
Reedley, CA 93654
Attn: City Clerk

By and for the Benefit of the City of Reedley



15
FRESNO County Recorder
Robert C. Werner

DOC- 2005-0275325

Tuesday, NOV 22, 2005 14:17:45

Ttl Pd \$51.00

Nbr-0062022883

DJG/R6/1-15

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF SPECIAL TAX LIEN

City of Reedley
Community Facilities District No. 2005-1
(Public Services)

RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:

City Clerk
City of Reedley
1733 9th Street
Reedley, CA 93654

NOTICE OF SPECIAL TAX LIEN

City of Reedley
Community Facilities District No. 2005-1
(Public Services)

Pursuant to the requirements of Section 3114.5 of the California Streets and Highways Code and Section 53311 et seq. of the California Government Code, the undersigned City Clerk of the City of Reedley (the "City"), County of Fresno, State of California, hereby gives notice that a lien to secure payment of a special tax which the City Council of the City is authorized to levy, is hereby imposed. The special tax secured by this lien is authorized to be levied for the purpose of paying the costs of certain services, all as described in Exhibit A attached hereto and by this reference made a part hereof.

The special tax is authorized to be levied within the City of Reedley Community Facilities District No. 2005-1 (Public Services) which has now been officially formed and the lien of the special tax is a continuing lien which shall secure each annual levy of the special tax and which shall continue in force and effect until the special tax obligation is permanently satisfied and cancelled in accordance with law or until the special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Government Code.

The rate, method of apportionment, and manner of collection of the authorized special tax is as set forth in Exhibit B attached hereto and by this reference made a part hereof. Conditions under which the obligation to pay the special tax may be prepaid in part and permanently satisfied are as follows: none.

Notice is further given that upon the recording of this notice in the office of the County Recorder, the obligation to pay the special tax levy shall become a lien upon all nonexempt real property within the City of Reedley Community Facilities District No. 2005-1 (Public Services) in accordance with Section 3115.5 of the California Streets and Highways Code.

The name(s) of the owner(s) of the real property included within the area of this community facilities district and the assessor's tax parcel(s) numbers of all parcels or any portion thereof which are included within the area of this community facilities district, in each case which are not exempt from the special tax and as they appear on the latest secured assessment roll as of the date of recording of this Notice or as otherwise known to the City, are as set forth in Exhibit C attached hereto and hereby made a part hereof.

Reference is made to the boundary map of the community facilities district recorded October 12, 2005, document no. 024171900, at Book 41 of Maps of Assessment and Community Facilities Districts at Page 58, in the office of the County Recorder for the County of Fresno, State of California, which map is now the final boundary map of the community facilities district.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the Finance Director of the City of Reedley, 1733 Ninth Street, Reedley, CA 93654, telephone number (559) 637-4200.

Dated: NOVEMBER 8, 2005

By:

Elizabeth Vines

Elizabeth Vines, City Clerk
City of Reedley



Reedley City Council Resolution No. 2005-123 is attached and hereby made a part of this document.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Fresno

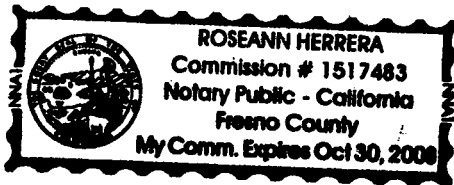
SS.

On November 22, 2005 before me, Roseann Herrera, Notary Public,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Elizabeth Vines

Name(s) of Signer(s)

☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

4

EXHIBIT A

CITY OF REEDLEY COMMUNITY FACILITIES DISTRICT NO. 2003-1 (PUBLIC SAFETY/FIRE PROTECTION SERVICES)

DESCRIPTION OF SERVICES TO BE FINANCED BY THE DISTRICT

Services:

The services to be financed include all direct and incidental costs related to providing public services for public safety and park maintenance. The first priority being fire and emergency medical service, then police and public safety, and finally park maintenance costs. More specifically: (i) fire protection and suppression services; (ii) emergency medical services including ambulatory services; (iii) community information with regard to public safety; (iv) earthquake and other emergency relief programs; (v) other public safety services, including police protection services, authorized to be funded under Section 53313(a) or (b) of the Act; (vi) park operation and maintenance expenses; and, (vii) repair and replacement of park facilities. Any services to be financed by the District must be in addition to those provided in the territory of the District before the date of creation of the District, and may not supplant services already available within the territory when the District is created. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof.

Administrative Expenses:

The direct and indirect expenses incurred by the City in carrying out its duties with respect to the District (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorneys, any fees of the County related to the District or the collection of special taxes, an allocable share of the salaries of the City staff directly related thereto and a proportionate amount of the City's general administrative overhead related thereto, any amounts paid by the City from their general fund with respect to the District or the services authorized to be financed by the District, and expenses incurred by the City in undertaking action to foreclose on properties for which the payment of special taxes is delinquent, and all other costs and expenses of the City in any way related to the District.

Other:

The incidental expenses that may be financed by the District include: (i) all costs associated with the establishment and administration of the District, the determination of the amount of and collection of taxes, the payment of taxes, and costs otherwise incurred in order to carry out the authorized purposes of the District, (ii) any other expenses incidental to the provision of the services eligible to be funded by the District, and (iii) any amounts necessary to maintain a reserve required by the City for the payment of costs and services.

EXHIBIT B

CITY OF REEDLEY COMMUNITY FACILITIES DISTRICT NO. 2003-1 (PUBLIC SERVICES)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A special tax shall be levied annually on each Parcel of land within the City of Reedley Community Facilities District No. 2005-1 (Public Services) (the "District"), and collected according to the Special Tax Liability determined by the City Council of the City of Reedley (the "City") or its designee through the application of the following procedures. All of the property within the District, unless otherwise exempted by law or the express provisions of the rate and method of apportionment expressed below, shall be taxed to the extent and in the manner provided below.

It is intended that all special taxes applicable to parcels be collected in the same manner and at the same time as ordinary ad valorem property taxes, and that special taxes so levied will be subject to the same penalties and procedures, sale and lien priority in case of delinquency as is provided for ad valorem taxes. Notwithstanding the foregoing, the City Council may direct the collection of the special taxes by direct billing of the affected property owners; it determines to do so by resolution of the City Council.

Categories of Special Taxes

Category I

Category I includes each Developed Parcel within the District for which a building permit has been issued prior to July 1 of the current Fiscal Year.

The Maximum Special Tax that may be levied annually on Taxable Property in Category I beginning with the Fiscal Year beginning with the Fiscal Year starting July 1, 2006 is as set forth in Table 1 below. Said Maximum Special Tax shall increase each Fiscal Year thereafter by an inflation factor which is the Annual All Urban Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose area.

TABLE 1 Maximum Special Tax Fiscal Year 2006-07 Category I Special Tax Per Dwelling Unit/Acre	
Development Type	Special Tax Rate
Single Family Residential (per dwelling unit)	\$740.00
Multi-Family Residential (per dwelling unit)	\$550.00
Non-Residential (per gross building square foot)	\$0.20
Affordable Housing (per dwelling unit)	\$370.00
Infill Non-Residential (per building square foot)	\$0.10

Category II

Category II includes each Parcel within the District that are not included in Category I.

The Maximum Special Tax that may be levied annually on Taxable Property in Category II beginning with the Fiscal Year starting July 1, 2006 ending June 30, 2007 is as set forth in Table 2 below per Net Developable Acre (said amount to be levied pro-rata for any portion of an acre). Said special tax shall increase each Fiscal Year thereafter by an inflation factor which is the Annual All Urban Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose area.

TABLE 2
Maximum Special Tax Fiscal Year 2006-07
Category II
Special Tax Per Net Developable Acre
\$600.00 per acre

Exempt Category

Each parcel owned by a public agency, right-of-way parcels, pipelines, common areas, private streets and parks, and open space lots not eligible for development shall be exempt from the levy of Special Tax.

Assignment to Categories and Levy of Annual Taxes

On or about July 1 of each year, but in any event in sufficient time to include the levy of the special taxes on the County's secured tax roll, the City Council or its designee shall determine the Tax Category for each Parcel within the District. Parcels subject to levy shall be determined based upon the records of the City building department and/or the Fresno County Assessor.

The City Council or its designee shall then determine the estimated Special Tax Liability for the Fiscal Year commencing such July 1 and the amount of special taxes to be levied on each Parcel as follows:

Step 1: Classify all Parcels that are Taxable Property in the District.

Step 2: Determine the maximum revenue which could be generated by Parcels classified as Category I by multiplying the total number of Dwelling Units for Developed Parcels classified as "Single Family Residential" by the Maximum Special Tax per Dwelling Unit for Parcels assigned to the Single Family Residential Category; and adding to that maximum revenue which could be generated by multiplying the total number of Dwelling Units for Developed Parcels classified as "Multi-Family Residential" by the Maximum Special Tax per Dwelling Unit for Parcels assigned to the Multi-Family Residential Category; and adding to that maximum revenue which could be generated by multiplying the total number of Dwelling Units for Developed Parcels classified as "Affordable Housing" by the Maximum Special Tax

per Dwelling Unit for Parcels assigned to the Affordable Housing Category; and adding to that the maximum revenue which could be generated by multiplying the total net developable acreage for Developed Parcels classified as "Non-Residential" by the Maximum Special Tax per gross building square foot for Parcels assigned to the Non-Residential Category; and adding to that the maximum revenue which could be generated by multiplying the total net developable acreage for Developed Parcels classified as "Infill Non-Residential" by the Maximum Special Tax per gross building square foot for Parcels assigned to the Infill Non-Residential Category.

Step 3: If the total revenue as calculated in Step 2 is greater than the Estimated Special Tax Liability for the Fiscal Year, reduce the Special Tax for each Parcel proportionately so that the special tax levy for the Fiscal Year is equal to the estimated Special Tax Liability for the Fiscal Year.

Step 4: If the total revenue as calculated in Step 2 is less than the estimated Special Tax Liability for the applicable Fiscal Year, including the funding of a reserve fund for the District equal to 100% of the estimated annual costs, a Special Tax shall be levied upon each Parcel classified as Category II. The annual Category II special tax shall be calculated as the lessor of:

The estimated Special Tax Liability, less the total of funds generated for all Parcels under Step 2 above, divided by the total Net Developable Acreage for all Parcels assigned to Category II

or

the aggregate Maximum Special Tax Rate for all Parcels assigned to Category II

Notwithstanding the foregoing, in no event shall the aggregate Special Tax levied upon all Parcels for any given year be greater than the estimated Special Tax Liability, including a reserve fund equal to 100% of the estimated annual costs for the District, as determined by the City Council or its designee.

DEFINITIONS

Administrative Expenses means any or all of the following: the direct and indirect expenses incurred by the City in carrying out its duties with respect to the District (including, but not limited to, the levy and collection of the Special Taxes) including the fees and expenses of attorneys, any fees of the County related to the District or the collection of special taxes, an allocable share of the salaries of City staff directly related thereto and a proportionate amount of the City's general administrative overhead related thereto, any amounts paid by the City from its general fund with respect to the District, and expenses incurred by the City in undertaking action to foreclose on properties for which the payment of special taxes is delinquent, and all other costs and expenses of the City in any way related to the District.

Affordable Housing means a dwelling unit that has been obligated by covenant to affordable housing for 25 or more years. If the covenant is released the property will be reclassified accordingly.

City means the City of Reedley.

County means the County of Fresno.

Developed Parcel means Taxable Property for which a foundation building permit or other form of building permit has been issued as of July 1 of the current Fiscal Year.

District means the City of Reedley Community Facilities District No. 2005-1 (Public Services).

Dwelling Unit means one single family home whether detached or attached and for multi-family structures means each unit designated for one-family occupancy.

Final Map means a recorded tract map or parcel map.

Fiscal Year means the period starting on July 1 and ending the following June 30.

Gross Acre or Gross Acreage is the acreage as shown on the County Assessor's parcel maps or if not shown on the Assessor's parcel maps the land area shown on the applicable recorded final map or other recorded documents.

Gross Building Square Foot or Gross Building Square Footage is the building square footage as shown on the building permit or other recorded documents on file with the City and/or County.

Infill Non-Residential developing or redeveloping parcels located within the City limits as of July 1, 2005 and classified as a non-residential use.

Maximum Special Tax means the maximum special tax that can be levied within the District by the City Council in any Fiscal Year for each parcel of real property subject to the special tax, as determined by reference to the provisions of this rate and method of apportionment of special taxes.

Multi-Family Dwelling Unit (i.e. apartment unit) means a dwelling unit in a multi-family development.

Net Developable Acre or Net Developable Acreage means the acreage as shown on a recorded final map for a parcel, or as otherwise determined by the City by reference to other applicable documents.

Non-Residential means a building designated for a use other than residential.

Parcel means any Fresno County Assessor's Parcel or portion thereof that is within the boundaries of the District based on the equalized tax rolls of the County.

Public Parcel means any parcel owned by a public entity.

Reserve Fund means a reserve operating fund maintained to provide necessary cash flow for

operations for the first six months of each Fiscal Year and a reasonable buffer, as determined by the City, against large variations in annual special tax amounts.

Single Family Dwelling Unit means a dwelling unit in a single family detached or single family attached building including a single family home, individual condominium, or town home.

Special Tax means the special tax or special taxes authorized to be levied within the District.

Special Tax Liability for any Fiscal Year is an amount sufficient to pay the costs of the District for each Fiscal Year, to include: (i) estimated costs of providing eligible services, and (ii) funding of the Reserve Fund.

Taxable Property is all real property within the boundaries of the District which is not exempt from the Special Tax pursuant to the law, except that the following property shall not be taxed: any acres of land owned, conveyed or irrevocably offered for dedication to a public agency, or land which is a public right of way or which is an unmanned utility easement making impractical its utilization for other than the purpose set forth in the easement, or other property described under the heading "Exempt Category" above.

A special tax shall be levied annually on each Parcel of land within the City of Reedley Community Facilities District No. 2005-1 (Public Services) (the "District"), and collected according to the Special Tax Liability determined by the City Council of the City of Reedley (the "City") or its designee through the application of the following procedures. All of the property within the District, unless otherwise exempted by law or the express provisions of the rate and method of apportionment expressed below, shall be taxed to the extent and in the manner provided below.

EXHIBIT C

CITY OF REEDLEY
COMMUNITY FACILITIES DISTRICT NO. 2005-1
(PUBLIC SERVICES)

ASSESSOR'S PARCEL NUMBERS AND OWNERS
OF LAND WITHIN THE DISTRICT

Fresno
County Assessor's
Parcel Numbers

Owner of Record of Parcels

Por. 370-020-58
Por. 370-020-59

Tract No. 5311 Lots 1, 30,
60, 91, 119, 131

Reedley II Housing LLC
Val-Wide Development, Inc. its Manager
401 W. Fallbrook Avenue, Ste #111
Fresno, CA 93711

Por. 370-020-58
Por. 370-020-59

Tract No. 5311 Lots 2-29,
31-59, 61-90, 92-118, 120-
130,

Lennar Fresno, Inc.
7690 North Palm Avenue
Suite 101
Fresno, CA 93711

RESOLUTION NO. 2005-123

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY
DECLARING RESULTS OF SPECIAL ELECTION AND DIRECTING
RECORDING OF NOTICE OF SPECIAL TAX LIEN**

RESOLVED, by the City Council (the "Council") of the City of Reedley (the "City"), as follows:

WHEREAS, in proceedings heretofore conducted by this Council pursuant to the Mello-Roos Community Facilities Act of 1982, Section 53311 et seq. of the California Government Code (the "Law"), this Council on this date the City Council of the City of Reedley held a special election of the qualified electors within the City of Reedley Community Facilities District No. 2005-1 (Public Services) (the "District"); and

WHEREAS, pursuant to the terms of said Resolution, which are by this reference incorporated herein, the special election was held on this date, and the City Clerk has on file a Canvass and Statement of Results of Election, a copy of which is attached hereto as Exhibit A; and

WHEREAS, this Council has reviewed the canvass and hereby approves it.

NOW, THEREFORE, it is hereby FOUND, DETERMINED and ORDERED by the City Council of the City of Reedley, as follows:

Section 1. The issues presented at the special election were the levy of a special tax within the District to be levied in accordance with the rate and method of apportionment of special taxes heretofore approved by this Council by its resolution adopted this date entitled "A Resolution of the City of Reedley of Formation of City of Reedley Community Facilities District No. 2005-1 (Public Services), Authorizing Levy of a Special Tax Within the District, Preliminarily Establishing an Appropriations Limit for the District and Submitting Levy of the Special Tax and the Establishment of the Appropriations Limit to the Qualified Electors of the District", and the approval of an appropriations limit of \$1,337,200 pursuant to said resolution.

Section 2. Pursuant to the canvass of the special election on file with the City Clerk, the issues presented at the special election were approved by more than two-thirds of the votes cast by the qualified electors of the District.

Section 3. Pursuant to the voter approval, the District is hereby declared to be fully formed with the authority to levy special taxes as heretofore provided in these proceedings and in the Law.

12

Section 4. It is hereby found that all prior proceedings and actions taken by this Council with respect to the District were valid and in conformity with the Law.

Section 5. The City Clerk is hereby directed to execute and cause to be recorded in the office of the County Recorder of the County of Fresno a notice of special tax lien in the form required by the Law, said recording to occur no later than fifteen days following adoption by the City Council of this Resolution.

Section 6. This Resolution shall take effect upon its adoption.


PASSED, APPROVED AND ADOPTED this 8th day of November, 2005, by the following vote:

AYES: Brockett, Rapada, Betancourt, Soleno.

NOES: None.

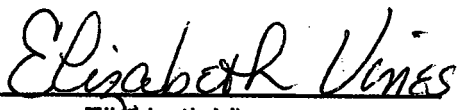
ABSTAIN: Ikemiya.

ABSENT: None.



Ray Soleno
Mayor of the City of Reedley

ATTEST:



Elizabeth Vines
City Clerk of the City of Reedley

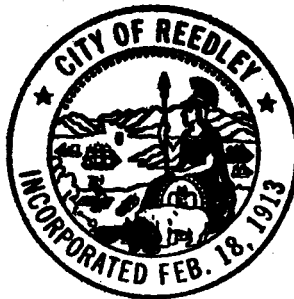


EXHIBIT A

CANVASS AND STATEMENT OF RESULT OF ELECTION

CITY OF REEDLEY
COMMUNITY FACILITIES DISTRICT NO. 2005-1
(PUBLIC SERVICES)

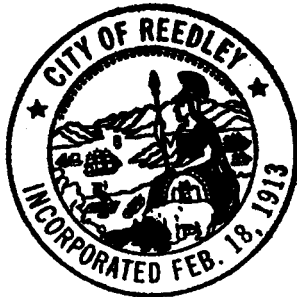
I hereby certify that on September 28, 2005, I canvassed the returns of the special election held on November 8, 2005, in the City of Reedley Community Facilities District No. 2005-1 (Public Services) and the total number of ballots cast in said District and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true and correct:

	Qualified Landowner Votes	Votes Cast	YES	NO
City of Reedley Community Facilities District No. 2005-1 (Public Services) Special Election November 8, 2005.	42	<u>42</u>	<u>42</u>	<u>0</u>

BALLOT MEASURE: Shall a special tax payable solely from lands within the City of Reedley Community Facilities District No. 2005-1 (Public Services) (the "District") be levied annually upon lands within the District to be applied only to pay the costs of the services authorized to be funded by the District, and to pay the costs of the City of Reedley in administering the District, and shall the annual appropriations limit of the District be established in the initial amount of \$1,337,200.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND this 8th day of November, 2005.

By: Elizabeth Vines
Elizabeth Vines
City Clerk of the City of Reedley



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Fresno

} ss.

On November 22, 2005

Date

before me,

Roseann Herrera, Notary Public

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared

Elizabeth Vines

Name(s) of Signer(s)

☒ personally known to me

☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Roseann Herrera
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____

Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney-in-Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here